The Journal-Patriot Has Blazed the Trail of Progress In the "State of Wilkes" For Over 43 Years

NORTH WILKESBORO, N. C., Monday, March 6, 1950 Published Mondays and Thursdays

Report Says Rural Telephone Lines

Wilkesboro has

radius of 50 m g 190,000 people in

Northwestern Caro

North Wilkesboro Takes Up **Case Of Woman Freed** By Habeas Corpus

North Carolina Supreme court on Wednesday, March 8, will hear a case involving the validity of the North Wilkesboro's mayor's court.

The question will reach the high court through writ of certiorari taken by the Town of North Wilkesboro following the release of a convicted person by habeas corpus before Superior Court Judge Justice C. Rudisell, of New-1 ton.

Mrs. Grace Lovette Wingler was convicted in North Wilkesboro mayor's court for keeping a orderly house and for prostitution. Mayor R. T. McNiel as presiding judge sentenced the woman to two years in jail. She gave notice of appeal to superior court and filled bond. Later she was surrendered by her bondsman to] jail and htrough writ of habeas corpus pleaded that she was unlawfully imprisoned because the court in North Wilkesboro was invalid. Judge Rudisell allowed the writ and released the defendant and her bondsman. Mrs. Wingler has since been indicted in Wil-Wars clubhouse. and before she was indicted she left this community and has not been taken on the superior court charge.

In the writ of habeas corpus it was alleged that the mayor's court nounced today. in North Wilkesboro was operat-

BINOFF AND HIS VIOLI

Rubinoff and his violin, inter- | Wilkesboros and all Wilkes counnationally famed concert artist, ty"

TO GIVE CONCERT

FAMOUS CONCERT ARTIST COMING

will appear in a concert here on Rubinoff and his violin, long a kes superior court on the same the night of March 22nd, 8:30 o'- favorite American combination, is charge but when she was released clock, at the Veterans of Foreign well known to millions both from his many concert appearances, na-

Rubinoff will come to North tion-wide radio broadcasts with Wilkesboro under auspices of the Eddie Cantor, and his motion pic-North Wilkesboro Lions club, W. ture engagements. A conductor D. Jester, Lions president, an- and composer of note, the popular

maestro has retained unanimous "We feel indeed fortunate in public approval through his coning without power of law. It fur- being able to bring such a great stant rendition of selections the ther set out that the 1949 legis- artist to North Wilkesboro", Paul public auctually desires to hear. lature passed an act amending the Cashion, Lions district governor The current concert tour is herset-up of the court and providing and chairman of the Rubinoff ar- alded as "in tune with the times". that the city commissioners ap- rangements here, said in connec- The famed musician will bring that the city commissioners ap-point and pay a salary to a judge, who would not be an elected of-ficial, and that all court officials is concert the fabulous ed to make this one of the out-ed for \$100,000, is reputed to

Transportation and Utilities committee of the Wilkes Chamber of Commerce has called a public meeting to be held Thursday, four p. m., at the North Wilkesoro town hall for consideration of the report and order of the North Carolina Utilities Commission relative to telephone improvements and expansion in

Wilkes county, The purpose of the meeting is to study the report and order of the commission and give interested citizens an opportunity to ask any changes they desire in the commission's order.

The Transportation and Utilities committee has invited one or more representatives of every community seeking rural telephones, attorneys for those groups, Central Telephone company manager here, local representative of the Utilities Commission and representatives of manufacturing plants.

Home Club Speaker mmmmmmmm

Governor W. Kerr Scott, left, is shown here as he presented a plaque honoring Wilkes County for having vot-

GOVERNOR PRESENTS PLAQUE

ed the largest majorities in the state for state road and school bonds in the special election held last June 4. Receiving the plaque are M. F. Absher, center, chair-man of the Wilkes County Board of Commissioners, and D. F. Shepherd, member of the Wilkes County Board of Education. Governor Scott addressed the large crowd present for the presentation Thursday at the Wilkes courthouse. (Photo by S. Lane Atkinson, Jr.).



Annual Spring Fsetival of Home Demonstration club women in Wilkes, Surry and Yadkin counties will be held in the Gilvin Roth Y.M.C.A. in Elkin on Thursday, March 4, beginning at 10:15 a. m. and continuing until 2:30 p. m.

Elkin Kiwanis club is sponsoring the program and will provide lunch free to all Home Demonstration club women.

Presiding will be Mrs. A. T. Whittington, member of the Ron- tions. da club of Wilkes county and dis**Definite Orders To Be Made After Company Reports** On Surveys

Resulting from a hearing held here February 2 the North Caroolina Utilities Commission has ordered the Central Telephone company to make detailed surveys of the communities asking rural telephones and to submit to the commission on or before May 1 a complete report.

The company was also ordered to repair, and replace where necessary, the cable line to WIkesboro to adequately and satis factorily serve that area. September 1 was set as the deadline for completion of this work.

The company was ordered to provide sufficient toll circuits out of the city to all connecting points by June 1.

The hearing here resulted in delegations with testimony telling of the need and demand for telephone service into 14 rural communities. Commenting on this topic, the commission's report said: "The number of people residing in said communities, who desire and agree to take the service, justifies the expansion of telephone service to said communities, sufficient to take care of the needs thereof, and upon some fair and equitable basis, wherein Beaver Creek Resident Files and whereby the telephone company can be compensated by a reasonable rate of return on investment of capital necessary."

The commission's report listed. citizen of the Beaver Creek com- among these communities Lithia munity of Wilkes county, has an- Springs and Brushy Mountain. nounced his candidacy for sheriff Oakwoods, Pores Knob, Boomer, of Wilkes county on the Demo- Ferguson, eight miles east of Wilcratic ticket and filed his notice kesboro along highway 421 to of candidacy and filing fee with Cranberry community, all that the Wilkes county board of elec- section from Wilkesboro to Moravian Palis, Brocktown, section Mr. Walsh, the son of Mrs. Lo- east of North Wilkes TO SOMA Six

be paid salaries instead of fees from defendants taxed with costs. Under the prior system the mayor, clerk and solicitor were compensated by fees paid by defendants taxed with costs.

However, the city commissioners, having been advised that the new act was unconstitutional, elected to retain the old mayor's as prescribed by the act of 1949.

The petition for the writ of Dr. H. G. Duncan Habeas corpus set out that the mayor since effective date of the 1949 act had no power to be judge of the court, and also alleged that the system of compenmating the judge, solicitor and clerk of the court solely by fees from convicted defendants is unconstitutional.

Through writ of certiorari those te entire matter of validity, including the question of constitutionality of the 1949 act as well valiantly to rescue him. as validity of the mayor's court as previously and presently operated.

Mrs. D. F. Byrd Is

died Sunday afternoon.

Ridge church. Rev. Charles Richardson and Rev. Troy Blevins will conduct the service.

Detroit; Mrs. Ollie Yale Hillard, Winston-Salem; Mrs. Presley Ad-. ams, North Wilkesboro; Mrs. Don Trent, Millers Creek; Mrs. Gwyn disease, and it was believed that Watkins, who resides in Oregon; a heart attack at the time of the Albert Byrd, Mrs. George Combs. and Mrs. Arlie Hayes, of North his death. Wilkesboro; Mrs. Quincy Reavis, of Wilkesboro.

Alexander Child

Phillip Eugene Alexander, two- he received an A. B. degree from the Rock Creek community east of Pennsylvania; in 1916 a B. D. of this city, died Thursday night degree from Crozer Theological at the hospital here.

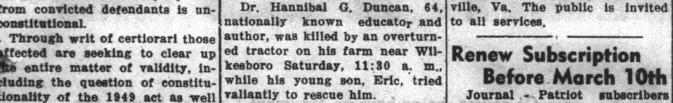
Baptist church with Rev. Jimmie Bryant conducting the last rites. mother, three brothers and two University of Pennsylvania.

Renew Concert Membership.

standing events of the year in this possess the most beautiful tonal community". qualities in the entire world; and

Pointing out that special coma brand new program of famous mittees and ticket selling loca- favorites loved, by the American tions would be announced soon. people, such as Warsaw Concerto, Chairman Cashion urged all orga-Chopin's Polonaise, DeBussey's nization members "and others in- Claire de Lune, and Gershwin's terested in civic betterment to Rhapsody in Blue. These composijoin in making a financial suc- tions will have their premier percess for the benefit of Lions formance as violin solos arrangcourt and not make the changes club's charitable activities in the ed and played by the maestro.

> **Revival Under Way Revival** services at Pentecost al Holiness church in this city **Dies In Accident** will continue through March 12 with services each evening at **On Farm Saturda** 7:30. The pastor, Rev. A. J. Adkins, is being assisted by Evangelist J. H. Rodgers, of Martins-



Coroner I. M. Myers, who in- whose subscriptions expired on vestigated the accident, stated March 1 will have until Friday, Hall, that Dr. Duncan was plowing with March 10, to renew before their a tractor when the tractor went subscriptions are discontinued. too near the bank of a small All who have received notice of stream. The wheels slipped off the expiration are respectfully re- he will seek the Democratic Claimed By Death bank and the tractor overturned. quested to send in their renewals Eric told the coroner that his before Friday so that they will

Mrs. Wadie Byrd, 64, wife of father jumped to the opposite not miss any issues of The Journ-D. F. Byrd, of North Wilkesboro, bank of the stream but the ov-|al-Patriot. erturned tractor pinned down his

Funeral service will be held legs. Eric used a mattock to Tuesday at two p. m. at Oak move dirt in an effort to free his father's legs of the weight of the Automation tractor but a shift bar was just over his neck. The tractor settled Surviving Mrs. Byrd are her lower and Dr. Duncan died before husband and the following sons help summoned by the calls of and daughters: Clifton Byrd, of Eric from an adjoining farm could arrive.

For the past several years, Dr. Duncan had suffered with heart accident was immediate cause of

Dr. Duncan, a member of a widely known Wilkes family, was born December 14, 1885, at Moravian Falls, a son of the late Daniel Scroggs and Elzina Canter Funeral Saturday Duncan. In early life he began a broad career of education. In 1913

ar-old son of Willie Amos and Wake Forest College; in 1915 a Mae Burchette Alexander, of M. A. degree from the University Seminary; in 1918 a Th. M. de-Funeral service was held Sat- gree at the same seminary, and urday at 11 a. m. at Arbor Grove in the same year a Th. D. degree from Southern Baptist Seminary. In 1920, he received his Doctor Surviving are the father and of Philosophy degree from the

> Dr. Duncan's teaching carees began at Moravian Falls Academy See - DR. DUNCAN - Page

Judge Camille McGee Kelley, nationally known for her work as juvenile court judge at Memphis, Tenn., will address the Spring Federation of Home Demonstration club women of Wilkes, Surry and Yadkin at Elkin Thursday, March 9th.

Willis Smith, Raleigh attorn-

ev who recently announced his

candidacy for the U.S. senate seat

held by Senator Frank P. Gra-

ham, spent Saturday night in

North Wilkesboro and conferred

Candidate Smith

trict president. Highlight of an interesting pro-

gram will be an address by the nationally famous Judge Camille McGee Kelley, juvenile court purist at Memphis, Tenn. Known as the "Heart Center of Memphis". Judge Kelley's court has become a nationally known institution. Topic for numerous magazine arlisitor Here ceived an offer from Hollywood, of the Eastern Star. producers to make a movie cen-

Funeral Held Sunday For Mrs. Andrews

Funeral srevice was held Sunday at 11 a. m. at Little Rock Baptist church for Mrs. Matilda Andrews, 90, who died Friday at her home near Boomer. Rev. A. W. Eller and Rev. R. L. Isbell conducted the service. Surviving Mrs. Andrews are

two sons and one daughter: R. C, Andrews, N. C. Andrews, and Mrs. Hettie Graybeal, all of Boomer.

Support The Red Cross Renew Concert Membership.

Banguet Opens Wilkesboro Agriculture Department Building



This is a scene at the Future Farmers of America father and son banquet held on Wednesday night opening the new agriculture department building of Wilkesboro high school. Standing, left to right at the speakers' table are: County Agent Paul Choplin, Kenneth Ferguson, Agriculture Instructor Fred Davis, C. O. McNiel, chair-man of the county board of education, Durant Hayes, F.F.A. President Hugh Ma-this, A. L. Teachy, state supervisor of agriculture education, Hayden Cleary, and L. Y. Ballentine, North Carolina commissioner of agriculture. (Photo by S. Lane Atkinson, Jr.)

ing, mercantile business and mechanic work and resides in the

Ferguson. deacon of the Beaver Creek Bap- keep service, indicating whether tist church. He is also active in or not subscribers will make a de-

For Office On The Dem-

ocratic Ticket

W. Genio Walsh, a prominent

ed the fancy of the American peo- and is a member of Mount Pleas- just what agreement each subple and is in great demand as a ant Masonic lodge and the North scriber will enter into to show speaker. Recently, she has re- Wilkesboro Chapter of the Order good faith.



Funeral service was held this morning at Fishing Creek Baptist church for Dave Mink, 82, investigated and that final orders long a prominent citizen of Wilkes county, who died Friday night here.

Sunday, February 26. Although stated: in declining health for a number of years, he had been able

his final illness. was engaged in lumber manu-years, and there has developed facturing, and operated a plant within its bounds, a great indusnear his home three miles west try in the raising and processing of Wilkesboro on old Highway of poultry. Vast quantities of 60. A leader in his community dressed poultry are shipped daily over a long period of time, Mr. to all parts of the eastern United Mink was known and respected States. Wilkes county also has by a wide circle of friends and some of the finest and most proacquaintances. He was also a ductive apple orchards to be leader in the Republican party found anywhere throughout the in Wilkes and had held several entire United States. Some secpositions of leadership in the tions within the county hold recparty. Surviving Mr. Mink are his tion of this fruit. The county also wife, Mrs. Victoria Mink, and engages in widespread dairying one daughter, Mrs. Oma McLain, and other agriculture enterprises, of Wilkesboro route two. Also and in addition thereto, is an im-

and eight great-grandchildren; Rev. Chralie J. Poole, pastor, which was largely attneded.

C. B. Lewis, 72, Is

ternoon at his home

Burcham in charge.

Surviving Mr. Lewis are his tinue." wife, Mrs. Sailie Lewis; one son Marvin Lewis, of Erkin; and two daughters, Mrs. F. C. Smith, of Benham, and Mrs. C. M. Settle, of New Orleans,

uia Triplett Walsh and the late to eight miles, Champion, Millers W. F. Walsh, was born February Creek, Mulberry; Congo road, 20, 1908, He is engaged in farm- Fairplains and Roby Rhoades community.

The telephone company's rural Beaver Creek community near report is asked to show total pole miles, total circuit miles, definite Mr. Walsh is a member and number who agree to take and ticles, Judge Kelley has captur- community and graternal affairs posit, pay rent in advance, or

The report of the company on request for rural lines will also show estimated cost of each project, so as to show actual cost of each phase of construction, and anticipated revenue to be received from each project.

The commission proposed that when the report is received that each project will be checked and will be issued following investigation of the projects.

Commenting on the Wilkes Mr. Mink was stricken ill on area the commission's report

"Wilkes county is among the leading counties in the state of to look after his business until North Carolina in industry and agriculture. The county has made For several decades Mr. Mink much progress in the past few ords of producing and distribusurviving are nine grandchildren portant manufacturing center for many products. Farther, the county developed as a trading and conducted the funeral service, commercial center, and its people are among the most progressive and prosperous to be found anywhere." In further comment the report stated: "The inade-Claimed By Death quate telephone. facilities now Columbus Brady Lewis, 73, a provided to the citizenship of well known resident of the Ben- North Wilkesboro and Wilkes ham community, died Sunday af- county are wholly inadequate, and fail to render either suffici-Funeral services will be held ent or necessary service to those having need of same. This is a Springs church with Rev. Marvin condition that the Utilities Commission will not allow to con-

> Early membership renewal will e a boost for the O oncert Association. Why not renew yours now?

with a number of friends here relative to his campaign for the nomination. Mr. Smith was enroute to Lenoir to deliver an address Sunday at a dedication of a Moose

> While here Mr. Smith expresed much satisfaction with response to his announcement that nomination for senate.